

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
July 1, 2014 - 9:00 A.M.

PRESENT: COMMISSIONER GARY J. ANDERSON, CHAIR
COMMISSIONER DOUG WITNEY

ELECTRONICALLY PRESENT:
COMMISSIONER LARRY A. ELLERTSON, VICE-CHAIR

ALSO PRESENT:

Dianne Orcutt, Utah County Deputy Attorney
Paul Jones, Utah County Deputy Attorney
Burt Harvey, Clerk/Auditor - Tax Admin. Supervisor
Julie Rollins, Utah County Purchasing Agent
Kris Poulson, Utah County Assessor
Jim Stevens, Utah County Assessor's Office
Bryce Armstrong, Community Development
Brandon Larsen, Community Development
Dr. Joseph K. Miner, Health Department Exec. Director
Marianne Christensen, Utah County Health Department
Cheri Tuckett, Utah County Health Department
Pat Bird, Drug & Alcohol Prevention & Treatment
Lana Jensen, Utah County Personnel Director

Richard Nielson, Utah County Public Works Director
Don Nay, Utah County Public Works Assoc. Director
Andrea Allen, Utah County Recorder's Office
Dalene Higgins, Utah County Sheriff's Office
Mike Forshee, Utah County Sheriff's Office
Wally Perschon, Utah County Sheriff's Office
Robert C. Kirk, Utah County Treasurer
Taylor Oldroyd, Utah County Association of Realtors
B. Paul Weddle, U.S. Special Operations Command
Cheryl Carter, Spring Lake Resident
Mac Carter, Spring Lake Resident
Michael G. Carter, Spring Lake Resident
Mike Stansfield, Fairways Media
Renée Huggins-Caron, Clerk/Auditor Admin. Assist.

Commissioner Anderson called the meeting to order at 9:03 A.M. and welcomed those present. The following matters were discussed:

PRAYER/READING/THOUGHT: Richard Nielson, Utah County Public Works Director

PLEDGE OF ALLEGIANCE: Robert C. Kirk, Utah County Treasurer

Commissioner Anderson took a moment of personal privilege to praise the United States of America and speak about Independence Day celebrations.

CONSENT AGENDA

1. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH AUTOMATED BUSINESS PRODUCTS FOR AN MPC5502A COPIER, SERIAL NO. W542L500501, LOCATED IN THE PUBLIC WORKS DEPARTMENT**
2. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH OSBORNES ENGINEERING SUPPLY COMPANY FOR A KIP 7170 COPIER/SCANNER, SERIAL NO. 13401203, LOCATED IN THE RECORDER'S OFFICE**
3. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH HEARING OFFICER RUSSELL BEETON FOR REAL ESTATE CONSULTING VALUATION SERVICES DURING THE 2014 BOARD OF EQUALIZATION APPEALS PROCESS** *(Continued from the June 24, 2014 Commission meeting)*

The Board struck Consent Agenda Item No. 3 from the calendar, at the request of the submitting department.
STRICKEN

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4. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH HEARING OFFICER STAN CRAFT FOR REAL ESTATE CONSULTING VALUATION SERVICES DURING THE 2014 BOARD OF EQUALIZATION APPEALS PROCESS** *(Continued from the June 24, 2014 Commission meeting)*

The Board struck Consent Agenda Item No. 4 from the calendar, at the request of the submitting department.
STRICKEN

5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH HEARING OFFICER DENNIS DeGRAW FOR REAL ESTATE CONSULTING VALUATION SERVICES DURING THE 2014 BOARD OF EQUALIZATION APPEALS PROCESS** *(Continued from the June 24, 2014 Commission meeting)*

The Board struck Consent Agenda Item No. 5 from the calendar, at the request of the submitting department.
STRICKEN

6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH HEARING OFFICER TYLER GURNEY FOR REAL ESTATE CONSULTING VALUATION SERVICES DURING THE 2014 BOARD OF EQUALIZATION APPEALS PROCESS** *(Continued from the June 24, 2014 Commission meeting)*

The Board struck Consent Agenda Item No. 6 from the calendar, at the request of the submitting department.
STRICKEN

7. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH HEARING OFFICER RANDALL HENDERSON FOR REAL ESTATE CONSULTING VALUATION SERVICES DURING THE 2014 BOARD OF EQUALIZATION APPEALS PROCESS** *(Continued from the June 24, 2014 Commission meeting)*

The Board struck Consent Agenda Item No. 7 from the calendar, at the request of the submitting department.
STRICKEN

8. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH HEARING OFFICER EVELYN JOHNSON FOR REAL ESTATE CONSULTING VALUATION SERVICES DURING THE 2014 BOARD OF EQUALIZATION APPEALS PROCESS** *(Continued from the June 24, 2014 Commission meeting)*

The Board struck Consent Agenda Item No. 8 from the calendar, at the request of the submitting department.
STRICKEN

9. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH HEARING OFFICER DENISE LEWIS FOR REAL ESTATE CONSULTING VALUATION SERVICES DURING THE 2014 BOARD OF EQUALIZATION APPEALS PROCESS** *(Continued from the June 24, 2014 Commission meeting)*

The Board struck Consent Agenda Item No. 9 from the calendar, at the request of the submitting department.
STRICKEN

10. **APPROVE A REQUEST FOR ACTING PAY FOR THE ADMINISTRATIVE SUPERVISOR-RECORDER POSITION, TO BEGIN IMMEDIATELY AND CONTINUE FOR APPROXIMATELY EIGHT WEEKS**

11. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE AWARD DOCUMENT AND THE ARTICLES OF AGREEMENT FOR THE EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) FROM THE UTAH DEPARTMENT OF PUBLIC SAFETY**

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12. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 60307, DATED JUNE 26, 2014**

13. **ABATE PERSONAL PROPERTY ACCOUNTS ATTACHED FOR THE YEARS INDICATED, HAVING BEEN IDENTIFIED AS UNCOLLECTIBLE; THERE ARE NO ASSETS AVAILABLE**

14. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2014-2 (ABATEMENTS)**

Commissioner Witney requested that Consent Agenda Item No. 14 be continued to the next meeting of the Board.
CONTINUED TO JULY 8, 2014

15. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2014-13**

16. **ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE UTAH COUNTY SHERIFF'S OFFICE AND THE UTAH COUNTY HEALTH DEPARTMENT**

17. **RATIFICATION OF PAYROLL**

Period 13	10 Checks: \$4,404.00	1,145 Total Deposits: \$1,468,174.74	Total: \$1,472,578.74
		Federal Payroll Taxes	Total: \$ 209,249.82

18. **RATIFICATION OF WARRANT REGISTER SUMMARY**

Register No. 642	June 23, 2014	Purchasing Cards 2315-2359	Total: \$ 32,302.21
Register No. 643	June 24, 2014	Direct Deposit:19694-19695	Total: \$ 213.20
Register No. 644	June 24, 2014	Check Nos. 195661-195686	Total: \$1,261,448.67
Register No. 645	June 24, 2014	Purchasing Cards 2360-2419	Total: \$ 22,555.72
Register No. 646	June 25, 2014	Purchasing Cards 2420-2431	Total: \$ 11,696.57
Register No. 647	June 25, 2014	Check Nos. 195687-195738	Total: \$ 2,550.00
Register No. 648	June 25, 2014	Check Nos. 195739-195753	Total: \$ 65,049.79
Register No. 649	June 25, 2014	Purchasing Cards 2432-2435	Total: \$ 272.15
Register No. 650	June 25, 2014	Direct Deposit:19696-19719	Total: \$ 13,711.63
Register No. 651	June 25, 2014	Check Nos. 195754-195790	Total: \$ 315,864.20
Register No. 652	June 25, 2014	Direct Deposit:19720-19720	Total: \$ 4,750.39
Register No. 653	June 25, 2014	Purchasing Cards 2436-2448	Total: \$ 13,078.19
Register No. 654	June 25, 2014	Check Nos. 195791-195811	Total: \$ 23,978.75
Register No. 655	June 25, 2014	Check Nos. 195812-195813	Total: \$ 1,627.10
Register No. 656	June 26, 2014	Bond Wires:291-291	Total: \$ 209,249.82
Register No. 657	June 26, 2014	Direct Deposit:19721-19731	Total: \$ 897,449.61
Register No. 658	June 26, 2014	Check Nos. 195814-195831	Total: \$ 80,406.27
Register No. 659	June 26, 2014	Direct Deposit:19732-19732	Total: \$ 738,982.90
Register No. 660	June 26, 2014	Direct Deposit:19733-19735	Total: \$ 9,236.00
Register No. 661	June 26, 2014	Check Nos. 195832-195844	Total: \$ 4,683.80
Register No. 662	June 27, 2014	Check Nos. 195845-195853	Total: \$ 68,463.66
Register No. 663	June 27, 2014	Direct Deposit:19736-19740	Total: \$ 136.20
		Total:	\$3,777,706.83

Consent Agenda Item Nos. 1, 2, 10 through 13, and 15 through 18 were approved as written. Commissioner Anderson recommended the following Regular Agenda items be moved to Consent:

6. **APPROVE (OR DENY) W. CARTER SUBDIVISION, PLAT "A," SUBJECT TO THE CONDITIONS STATED IN THE STAFF REPORT**

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7. **APPROVE (OR DENY) M. MARVIN SUBDIVISION, PLAT "A," SUBJECT TO THE CONDITIONS STATED IN THE STAFF REPORT**
10. **ACCEPT AND SIGN THE 2013 FOSTER GRANDPARENT NOTICE OF GRANT AWARD FROM THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE**
11. **ACCEPT AND SIGN THE 2014 SENIOR COMPANION NOTICE OF GRANT AWARD FROM CORPORATION FOR NATIONAL AND COMMUNITY SERVICE**
12. **ACCEPT AND SIGN THE 2016 FOSTER GRANDPARENT NOTICE OF GRANT AWARD FROM THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE**
13. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE AGREEMENT BETWEEN UTAH COUNTY AND INTERMOUNTAIN HEALTH CARE FOR FOSTER GRANDPARENTS**
14. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE AGREEMENT BETWEEN UTAH COUNTY AND MOUNTAINLAND ASSOCIATION OF GOVERNMENTS FOR SENIOR COMPANIONS**
15. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE AGREEMENT BETWEEN UTAH COUNTY AND NEBO SCHOOL DISTRICT FOR FOSTER GRANDPARENTS**
16. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 2 TO AGREEMENT NO. 2012-463 WITH THE UTAH DEPARTMENT OF HEALTH TO EXTEND THE TERMS OF THE CONTRACT AN ADDITIONAL YEAR**
17. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT BETWEEN UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT AND PAYSON CITY TO IMPLEMENT THE CTC PREVENTION MODEL**

The Board verbally noted that a resolution would also be adopted to accompany this interlocal agreement.
APPROVED WITH CHANGES

18. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT BETWEEN UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT AND SARATOGA SPRINGS CITY TO ESTABLISH THE CTC PREVENTION PROGRAM**

The Board verbally noted that a resolution would also be adopted to accompany this interlocal agreement.
APPROVED WITH CHANGES

19. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT BETWEEN UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT AND SPRINGVILLE CITY TO ESTABLISH THE CTC PREVENTION PROGRAM**

The Board verbally noted that a resolution would also be adopted to accompany this interlocal agreement.
APPROVED WITH CHANGES

20. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 2 TO AGREEMENT NO. 2013-527 WITH THE UTAH DEPARTMENT OF AGRICULTURE FOR THE INVASIVE SPECIES MITIGATION PROGRAM**

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22. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH RAASS BROTHERS, INC. FOR CONSTRUCTION OF THE HISTORIC COURTHOUSE PARAPET AND ROOF REPLACEMENT PHASE 2 PROJECT**
23. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A REAL ESTATE PURCHASE AGREEMENT WITH DEREK AND LISA ZAGARELLA FOR PARCEL SERIAL NO. 24:003:0048 IN THE AMOUNT OF \$304,000.00**
24. **RATIFY THE SIGNATURE OF COMMISSION CHAIR ON MEMORANDUM OF AGREEMENT WITH THE DEPARTMENT OF HERITAGE AND ARTS, UTAH STATE LIBRARY DIVISION FOR BOOKMOBILE SERVICE IN UTAH COUNTY**

ACTIONS TAKEN

Consent Agenda Item Nos. 1, 2 and 11 were approved and authorized; Nos. 3 through 9 were stricken from the agenda; Nos. 10, 12 and 15 were approved; No. 13 was abated; No. 14 was continued to the July 8, 2014 meeting of the Board; No. 16 was adopted; and Nos. 17 and 18 were ratified. Regular Agenda Item Nos. 6 and 7 were approved; Nos. 10 through 16 were accepted, approved and authorized; Nos. 17, 18 and 19 were approved with noted changes; Nos. 20, 22 and 23 were approved and authorized; and No. 24 was ratified.

AGREEMENT NOS.: 2014-433, 2014-434, 2014-435, 2014-435(A), 2014-436, 2014-437, 2014-438, 2014-439, 2014-440, 2014-441, 2014-442, 2014-443, 2014-444, 2014-445, 2014-446, 2014-447, 2014-448, 2014-449, 2014-450, 2014-451, 2014-452, 2014-453 and 2014-454

RESOLUTION NOS.: 2014-69, 2014-70, 2014-71 and 2014-72

REGULAR AGENDA

1. **ADOPT A RESOLUTION ESTABLISHING THE 2014 TAX RATE LEVIES FOR UTAH COUNTY, UTAH**

Utah County Clerk/Auditor - Tax Administration Supervisor Burt Harvey noted for the record that tax rates have dramatically decreased this year.

Commissioner Witney made the motion to adopt the resolution establishing the 2014 Tax Rate Levies for Utah County, Utah as detailed in Regular Agenda Item No. 1. The motion was seconded by Commissioner Ellertson and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

RESOLUTION NO. 2014-73

2. **DENY (OR ADOPT) AN ORDINANCE TO AMEND THE UTAH COUNTY LAND USE ORDINANCE, SUBSECTION 2-2-B-94, DEALING WITH THE DEFINITION OF SUBDIVISION AND RECORDED AGREEMENTS BETWEEN OWNERS OF ADJOINING PROPERTIES ADJUSTING THEIR MUTUAL BOUNDARY**

Brandon Larsen of the Utah County Community Development Office explained that a property owner in the Palmyra area, McKay Morley, would like to build a house on a four-acre parcel of land, but the zoning requirements call for a five-acre minimum. Mr. Morley proposed a boundary line agreement to his neighbor for the last required parcel; current ordinance does not allow a non-qualifying parcel to circumvent the minimum acreage requirement through such a

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contract. When Commissioner Anderson asked why it would not be allowed, Mr. Larsen noted the staff concerns related to road dedications and land-locked properties. Bryce Armstrong of the Utah County Community Development Office also confirmed with Mr. Larsen that the Utah County Planning Commission unanimously recommended denial of this ordinance based on staff suggestion.

Commissioners Witney and Anderson questioned how an individual would go about increasing acreage to meet minimum requirements if the proposed ordinance is denied. Utah County Deputy Attorney David Shawcroft stated the property owner would need to create a one-lot subdivision, and Brandon Larsen clarified that denial of this ordinance would make one-lot subdivisions the only option for property owners. Commissioner Ellertson expressed that the Board should be working to make the process easier for people, and Commissioner Anderson returned that creating an exception for one individual creates a burden on public policy. They discussed safety and health issues.

Commissioner Witney made the motion to deny the ordinance proposed in Regular Agenda Item No. 2. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

DENIED

3. ADOPT (OR DENY) AN ORDINANCE TO AMEND SECTIONS 6-1-E-16-A, 6-1-E-17-A, AND 6-1-E-20-A OF THE UTAH COUNTY LAND USE ORDINANCE: LARGE SCALE DEVELOPMENTS: GENERAL PROVISIONS

Bryce Armstrong of the Utah County Community Development Office explained current ordinance allows developers a "period of viability": one year to record a large-scale development plat once it has been approved by the Board. It is being proposed that the one-year period begin instead once all windows for appeal have been exhausted, to allow a full unencumbered year following any legal processes. Mr. Armstrong noted that the commissioners could extend the time frame as they see fit, and the ordinance would be retroactive to January 1, 2014.

Commissioner Witney made the motion to adopt an ordinance to amend Sections 6-1-E-16-A, 6-1-E-17-A, and 6-1-E-20-A of the Utah County Land Use Ordinance: Large Scale Developments - General Provisions as detailed in Regular Agenda Item No. 3. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

ORDINANCE NO. 2014-5

4. ADOPT (OR DENY) AN ORDINANCE TO AMEND THE UTAH COUNTY LAND USE ORDINANCE, SUBSECTIONS 6-3-D-6 & 7: STANDARDS AND CONDITIONS FOR PLANNED SUBDIVISIONS, RELATIVE TO SIDEWALKS, CURBS AND GUTTERS

Brandon Larsen of the Utah County Community Development Office noted that Regular Agenda Item Nos. 4, 5, and 8 are related to properties in the Spring Lake area with proposed widths of less than 150 feet. Current ordinance states curb, gutter, and sidewalk requirements should go into effect when such a development is proposed, unless the County Engineer finds that a modified standard would provide a safer and more efficient means of drainage or the conduct of pedestrian traffic. Staff has recommended that the phrase "and safe" be removed from the ordinance for liability's sake, the assumption being that unsafe conditions would not be permitted. The Utah County Planning Commission has unanimously suggested approval of this amendment.

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Commissioner Witney made the motion to adopt an ordinance to amend the Utah county Land Use Ordinance Subsections 6-3-D-6 and 6-3-D-7: Standards and Conditions for Planned Subdivisions, Relative to Sidewalks, Curbs and Gutters as defined in Regular Agenda Item No. 4. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney**

NAY: None

ORDINANCE NO. 2014-6

5. APPROVE (OR DENY) MAC CARTER SUBDIVISION, PLAT "A," SUBJECT TO THE CONDITIONS STATED IN THE STAFF REPORT

Helina Carter-Thomas of the Utah County Planning Commission came forward at the request of Commissioner Anderson. Ms. Carter-Thomas introduced friends and family in the audience, and Commissioner Anderson took a moment of personal privilege to express gratitude for the Planning Commission.

Commissioner Witney made the motion to approve the Mac Carter Subdivision, Plat "A," subject to the conditions stated in the Staff Report as outlined in Regular Agenda Item No. 5. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney**

NAY: None

AGREEMENT NO. 2014-455

8. APPROVE (OR DENY) NORTH SPRING LAKE - SCOTT SUBDIVISION, PLAT "A," SUBJECT TO THE CONDITIONS STATED IN THE STAFF REPORT

Commissioner Witney made the motion to approve the North Spring Lake - Scott Subdivision, Plat "A," subject to the conditions stated in the Staff Report as outlined in Regular Agenda Item No. 8. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney**

NAY: None

AGREEMENT NO. 2014-456

9. DISCUSS, AND APPROVE OR DENY, A TAX SALE PROTEST FILED BY DAREN HOGGE RELATED TO PARCEL SERIAL NO. 55:407:0021 (Continued from the June 24, 2014 Commission meeting)

Utah County Deputy Attorney Dianne Orcutt reminded the Board there had been questions regarding conveyance of the deed; the Utah County Recorder's Office has since reviewed the information. Utah County Clerk/Auditor - Tax Administration Supervisor Burt Harvey summarized that Daren Hogge is a neighboring property owner to a parcel sold during the 2014 Utah County May Tax Sale. The parcel in question encompasses a piece of property behind Mr. Hogge's land. The piece was successfully auctioned to Marc Molling, but Mr. Hogge is protesting the sale based on notification issues.

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Burt Harvey noted discussions with Daren Hogge as early as May 11, 2014 in which Mr. Hogge indicated plans to acquire the parcel in question. Mr. Hogge did not arrive on time to the sale, and is requesting that the Board not ratify the sale so that he can make arrangements to purchase it from the previous owner. Mr. Harvey spoke about trustees, and mentioned there is not a true legal standing to prevent ratification of the sale. He described the location of the property. When Commissioner Ellertson asked about access rights, Mr. Harvey stated it would have to be settled between the buyer and Mr. Hogge.

Commissioner Witney made the motion to deny the Tax Sale Protest filed by Daren Hogge in Regular Agenda Item No. 9. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

DENIED

21. APPROVE OR DENY A REQUEST FROM SPANISH FORK CITY TO WAIVE THE \$300 EVENT PERMIT FEE FOR USE OF VARIOUS COUNTY ROADS FOR THE FIESTA DAYS 10K TO BE HELD ON JULY 24, 2014

Commissioner Ellertson made the motion to waive the \$300 event permit fee for use of various county roads for the Fiesta Days 10K to be held on July 24, 2014 as described in Regular Agenda Item No. 21, with the finding that the benefit to the community exceeds the monetary fees in fair and adequate consideration to the county. The motion was seconded by Commissioner Witney and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

AGREEMENT NO. 2014-457

25. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MEMORANDUM OF AGREEMENT BETWEEN THE UNITED STATES MARINE CORPS FORCES, SPECIAL OPERATIONS COMMAND (MARSOC) AND UTAH COUNTY, UTAH

When Commissioner Ellertson asked for clarification, Commissioner Witney mentioned the Work Session item from the April 8, 2014 meeting related to Special Operations training. Local law enforcement may be involved in activities.

Commissioner Witney made the motion to approve the Memorandum of Agreement with the United States Marine Corps Forces, Special Operations Command (MARSOC) as identified in Regular Agenda Item No. 25. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

AGREEMENT NO. 2014-458

At this point, the commissioners determined which closed meetings would be necessary to set and which could be stricken from the Regular Agenda.

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- 28. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY**

STRICKEN

- 29. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY**

STRICKEN

- 30. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS COMMERCIAL INFORMATION AS DEFINED IN SECTION 59-1-404, U.C.A., AS AMENDED**

STRICKEN

Commissioner Witney made the motion to strike Regular Agenda Item Nos. 28, 29 and 30 to set dates, times and locations for closed meetings for a strategy session to discuss the purchase, exchange, or lease of real property; for a strategy session to discuss the sale of real property; and to discuss commercial information as defined in Section 59-1-404, U.C.A., as amended. The motion was seconded by Commissioner Ellertson and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney

NAY: None

- 26. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL OR INDIVIDUALS**

Commissioner Witney made the motion to set a date, time and location for a closed meeting to discuss the character, professional competence, or physical or mental health of an individual or individuals to immediately follow the public comment portion of the regular public meeting today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Ellertson and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney

NAY: None

SET

- 27. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION**

Commissioner Witney made the motion to set a date, time and location for a closed meeting for a strategy session to discuss pending or reasonably imminent litigation to immediately follow the previously scheduled closed meeting today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Ellertson and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney

NAY: None

SET

WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENTS

There were no public comments and the meeting recessed at 9:37 A.M. to go into closed meetings. The public meeting reconvened at 10:42 A.M.

Commissioner Ellertson made the motion to adjourn the July 1, 2014 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Witney and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

There being no further business nor public comment, the meeting adjourned at 10:42 A.M. The minutes of the July 1, 2014 Commission Meeting were approved as transcribed on July 29, 2014.

GARY J. ANDERSON, Commission Chair

ATTEST:

BRYAN E. THOMPSON
Utah County Clerk/Auditor